

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CONNOR LOUIS GOURNEAU,

Defendant.

CR-22-76-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on November 12, 2024. (Doc. 53.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 12, 2024. (Doc. 48.) The United States accused Connor Gourneau (Gourneau) of violating his conditions of supervised release by: (1) admitting to using methamphetamine on July 27, 2024, and (2) admitting to using methamphetamine and fentanyl on August 4, 2024; (3) failing to comply with substance abuse testing requirements

by absconding after a sweat patch was applied to him on August 6, 2024; and (4) testing positive for methamphetamine, fentanyl, and cannabinoids on October 28, 2024. (Docs. 44 and 47.)

At the revocation hearing, admitted Gourneau admitted that he had violated the terms of his supervised release by: (1) admitting to using methamphetamine on July 27, 2024 and (2) admitting to using methamphetamine and fentanyl on August 4, 2024; (3) failing to comply with substance abuse testing requirements by absconding after a sweat patch was applied to him on August 6, 2024; and (4) testing positive for methamphetamine, fentanyl, and cannabinoids on October 28, 2024. (Doc. 48.)

Judge Johnston found that the violations Gourneau admitted proves serious and warrants revocation of his supervised release and recommends a custodial sentence of 3 months of custody, with 33 months of supervised release to follow. During the first 60 days of supervised release, Gourneau shall be placed at a secure in-patient substance abuse treatment facility such as Connections Corrections. Following completion, Gourneau shall be placed in a residential re-entry center recommended by his probation officer for a period of 180 days. (Doc. 53.)

Gourneau was advised of his rights to appeal and allocute to the undersigned and waived those rights. (Doc. 48.)

The violations prove serious and warrants revocation of Gourneau's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 53.) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Connor Louis Gourneau be sentenced to custody to custody of 3 months with 33 months of supervised release to follow. During the first 60 days of supervised release, Gourneau shall be placed at a secure in-patient substance abuse treatment facility such as Connections Corrections. Following completion, Gourneau shall be placed in a residential re-entry center recommended by his probation officer for a period of 180 days.

DATED this 13th day of November, 2024.



Brian Morris, Chief District Judge
United States District Court